



Dated: April 28, 2010
The following is SO ORDERED:


Paulette J. Delk
UNITED STATES BANKRUPTCY JUDGE

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

IN RE: DEMARIO CLEMONS,

Debtor(s),

**CASE NO. 09-33693D
ADV. NO. 10-00089
CHAPTER 13**

DEMARIO CLEMONS,

Plaintiff(s),

v.

**NATIONWIDE MUTUAL INSURANCE
C/O JOHN CHEADLE,**

Defendant(s).

**COMPLAINT FOR TURNOVER OF FUNDS FROM NATIONWIDE MUTUAL
INSURANCE C/O JOHN CHEADLE**

This cause came to be heard on April 20, 2010 on the Debtor(s) Complaint for Turnover of Funds from Nationwide Mutual Insurance c/o John Cheadle. In support of said complaint, the Debtor(s) showed the Court:

1. This case was filed on December 8, 2009;
2. Nationwide Mutual Insurance c/o John Cheadle garnished \$104.00 from the Debtor(s) paycheck stub for General Sessions Docket #1236328;
3. These funds are part of the bankruptcy estate and an exemption as both personal property as well as income; and
4. The Debtor(s) would show that this garnishment is a violation of the automatic stay.

The Court finds said motion well taken.

THEREFORE, IT IS ORDERED that the Court shall order Nationwide Mutual Insurance c/o John Cheadle to turnover \$104.00 to the Debtor(s) for funds garnished from the Debtor(s) paycheck.

/s/ Earnest E. Fiveash
Earnest E. Fiveash
1433 Poplar Ave.
Memphis, TN 38104
(901) 276-3334

/s/ George W. Stevenson
Chapter 13 Trustee

Parties to be served:

Debtor(s)
Debtor(s) Attorney
All creditors on the matrix
Case Trustee